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**OUTCOME CASES TRIBUNAL ROLL FOR WEDNESDAY, 25 JANUARY 2017**

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| --- | --- | --- | --- |
| Type of matter | Parties involved | Competition Commission’s recommendation to Tribunal | Decision by Competition Tribunal |
| Consent agreement | Competition Commission and the Good Hope Textile Corporation (Pty) Ltd t/a Da Gama Textiles | Confirmation of agreement | Confirmed agreement |
| Large merger | HOLDCO, DEVCO and ASSETCO and Aldwych Power Holdings Ltd and Aldwych International Ltd, Cabeolica S.A and Cenpower Generation Company Ltd | Approval without conditions |  |

**Tribunal has confirmed the R2m settlement between a textile company and the Commission**

The Competition Tribunal has confirmed a R2 113 335.24 settlement between the Competition Commission and Good Hope Textile Corporation, trading as Da Gama Textiles. The firm admitted to colluding tendering in a bid issued by National Treasury.

The tender was for the supply of fabric used in the manufacture of uniforms for the Department of Correctional Services, the South African Air Force and the South African Military Health Services.

Da Gama Textiles concluded bilateral agreements with Monoge Mining and Motseng Trading & Supply Services in which they agreed that Da Gama Textiles would determine the prices at which both would quote in submitting their respective bids.

The Commission has already concluded a settlement with Motseng Trading of R100 000, which represented 7.6% of its 2013 turnover.

**Merger approved in election power generation market**

The Tribunal has approved the unconditional merger of Holdco, DevCo and AssetCo with target firms Aldwych Power Holdings Limited (AHL), Aldwych International Limited (AIL), Cabeolica SA (Cabeolica) and Cenpower Generation Company Ltd (Cenpower).

Holdco, DevCo and AssetCo will acquire the entire share capital of the target firms.

The primary acquiring firms are not yet incorporated. HoldCo will be the holding company of DevCo and AssetCo and the three will be jointly controlled in equal share by AHL and AFC Equity Investments Ltd (AFC Equity).

AHL is controlled by Pan African Infrastructure Development Fund and AFC Equity is controlled by Africa Finance Corporation (AFC).

Globally, AHL develops, constructs, manages, owns and operates electricity generation, transmission and distribution projects in developing markets.

Pan African Infrastructure Development is a leading African infrastructure fund manager and AFC is an Africa-focused multilateral financial institution. AFC has a special focus on the African infrastructure sectors, including conventional power generation, renewable energy, sea, airports, oil and gas pipelines and telecommunications. In South Africa, AFC does not control any firm but has an interest in South African Toll Road Company (Pty) Limited.

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